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| APPLICATION NO.                                                      | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
|----------------------------------------------------------------------|-------------|----------------------|-------------------------|------------------|
| 10/698,081                                                           | 10/30/2003  | Rudolf Lehner        | MAS-FIN-410             | 9173             |
| 24131                                                                | 7590        | 10/14/2004           | EXAMINER                |                  |
| LERNER AND GREENBERG, PA<br>P O BOX 2480<br>HOLLYWOOD, FL 33022-2480 |             |                      | CLARK, JASMINE JHIHAN B |                  |
|                                                                      |             |                      | ART UNIT                | PAPER NUMBER     |
|                                                                      |             |                      | 2815                    |                  |

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/698,081 /

Applicant(s)

LEHNER, RUDOLF

Examiner

Jasmine J Clark

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*Am*

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 10-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 3-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/30/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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***Election/Restrictions***

1. Claims 10-25 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Group II, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 08/26/04.
2. It is suggested that Applicant cancels claims 10-25 in response to this Office action.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 6-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogino et al. (US 2002/0158343 A1).

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Ogino shows a structure of a device having a semiconductor chip 5, comprising an active top side; semiconductor component structures and contact areas 18 disposed on the active top side; a buffer 1 including a protective layer 2 disposed between the contact areas and the above the semiconductor component structures; and having a hard coating 6 at the free surface of the protective layer 2.

Concerning claim 6 and 7, wherein, for example, the active side has a centroid; and the buffer is a plurality of buffer bodies distributed uniformly around a region of a centroid, please see Fig. 3.

Concerning claim 8, please see the above discussion.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogino et al. (US 2002/0158343 A1) in view of Horiuchi et al. (US 6,455,786 B1).

As per the above discussion, Ogino shows all the structures as claimed in claim 1. However, Ogino fails to show a plurality of semiconductor chips that disposed in rows and columns as claimed in claim 9.

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Horiuchi shows a plurality of chips (see Figs. 8 and 9). Hence, it would have been obvious for Ogio to have more than one semiconductor chips disposed in rows and columns in a semiconductor device environment, as is notoriously known.

### ***Allowable Subject Matter***

5. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The applied reference fails to teach and/or suggest the limitations set forth in claims 3-5.

### ***References Cited***

6. Horiuchi et al. (US 6,455,786 B1), Taniguchi et al. (US 5,953,592), Gotoh et al. (US 6,181,015 B1), Feger et al. (US 6,130,472), Fillion et al. (US 5,353,498), Kato et al. (US 5,394,490), Iwasaki (US 5,834,848), Wirz (WO 00/41234), and Ochiai (JP 6-61383) teach relating a semiconductor device including a semiconductor chip and a buffer.

### ***Telephone Inquiry Contacts***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasmine J Clark whose telephone number is (571) 272-1726. The examiner can normally be reached on Flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on (571) 272-1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jjbc/10/11/04

**JASMINE CLARK**  
**PRIMARY EXAMINER**

*Jasmine Clark*